

FORM PTO-1350  
(Rev. 10-94)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

11613.32USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

Unknown 09/830748

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US99/25552	October 29, 1999	October 31, 1998

## TITLE OF INVENTION

VARIANTS OF HUMANIZED ANTI-CARCINOMA MONOCLOINAL ANTIBODY CC49

## APPLICANT(S) FOR DO/EO/US

Syed V.S. KASHMIRI, Eduardo A. PADLAN, Jeffrey SCHLOM

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US)
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.  
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information: Form PCT/IPEA/409, Form PCT/ISA/210, Form PCT/IB/304 and 12 pages of Sequence Listing

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unknown <b>09/830748</b>	INTERNATIONAL APPLICATION NO. PCT/US99/25552	ATTORNEY OR DOCKET NUMBER 116-02USWO			
17. [X] The following fees are submitted:		<b>CALCULATIONS PTO USE ONLY</b>			
<b>BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):</b>					
Search Report has been prepared by the EPO or JPO.....\$860.00					
International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1)).....\$690.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$710.00					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO ..... \$1000.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$100.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$860.00			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$0.00			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	47	-20 = 27	X \$18.00	\$486.00	
Independent claims	5	-3 = 2	X \$80.00	\$160.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$1,506.00			
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27		\$			
<b>SUBTOTAL =</b>		\$1,506.00			
Processing fee of <b>\$130.00</b> for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$0.00			
<b>TOTAL NATIONAL FEE =</b>		\$1,506.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$0.00			
<b>TOTAL FEES ENCLOSED =</b>		\$1,506.00			
		Amount to be: refunded	\$0.00		
		charged	\$0.00		
a. [X] Check(s) in the amount of <u>\$1,506.00</u> to cover the above fees is enclosed.					
b. [ ] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2725</u> .					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Melissa Jean Pytel MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903		 SIGNATURE: NAME: Melissa Jean Pytel REGISTRATION NUMBER: 41,512			

Applicant: KASHMIRI et al.

Docket: 11613.32USWO

Title: VARIANTS OF HUMANIZED ANTI-CARCINOMA MONOCLONAL ANTIBODY CC49

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL669942212US

Date of Deposit: April 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By: Yolanda Gray  
Name: Yolanda Gray

## BOX PATENT APPLICATION

Commissioner for Patents

Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- National Stage PCT Patent Application: Spec. 46 pgs; 47 claims; Abstract 1 pgs.  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- 23 sheets of formal drawings
- A signed Combined Declaration and Power of Attorney
- A check in the amount of \$1506.00 to cover the Filing Fee
- Other: Preliminary Amendment with a marked up copy, Form PCT/IPEA/409, Form PCT/ISA/210, Form PCT/IB/304 and 12 pages of Sequence Listing
- Return postcard

## CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
<b>Basic Filing Fee</b>				\$860.00
<b>Total Claims</b>				
47	- 20	= 27	x 18.00 =	\$486.00
<b>Independent Claims</b>				
5	- 3	= 2	x 80.00 =	\$160.00
<b>MULTIPLE DEPENDENT CLAIM FEE</b>				\$0.00
<b>TOTAL FILING FEE</b>				<b>\$1506.00</b>

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

By: Melissa PytelName: Melissa Jean Pytel  
Reg. No.: 41,512  
Initials: MJP/pjk

23552

PATENT TRADEMARK OFFICE

SAS:jam 4239-61725 91389 08/02

**KLARQUIST SPARKMAN, LLP**16th Floor World Trade Center, 121 S.W. Salmon Street, Portland, Oregon 97204 U.S.A.  
PHONE: 503-226-7391 FAX: 503-228-9446**PLEASE DELIVER DIRECTLY TO EXAMINER****Fax No.:** (703) 305-3230**Total No. Pages:** 10 including this cover sheet

**Message:** Transmitted herewith for filing in the above-identified application is a Revocation of Prior Power of Attorney and New Power of Attorney by Assignee and Certificate by Assignee Under 37 C.F.R. 3.73. If you do not receive all pages or if you have problems receiving transmittal, please call William D. Noonan, M.D., at (503) 226-7391. The fee (large entity) has been calculated as shown below.

In re application of: Kashmiri et al.

Application No.: 09/830,748

Filed: April 30, 2001

For: VARIANTS OF HUMANIZED ANTI-CARCINOMA MONOCLONAL ANTIBODY CC49

Examiner: Not yet assigned

Art Unit: Not yet assigned

Date: January 8, 2002

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and any documents referred to as being transmitted herewith are being facsimile transmitted to attention of BPX PCT, U.S. Patent and Trademark Office, at the facsimile telephone number (703) 305-3230 on January 8, 2002.

*William D. Noonan*William D. Noonan, M.D.  
Attorney for Applicant**FEE CALCULATION FOR CLAIMS AS AMENDED**

For	No. after amendment	No. paid for previously	Extra	Rate	Fee
Total Claims	-	*	=	\$18.00	\$ 0.00
Indep.	-	**	=	\$84.00	\$ 0.00
<<One/Two/Three>>-month Extension of Time (1 month = \$110.00 2 months = \$400.00 3 months = 920.00)					
<b>TOTAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>

\*greater of twenty or number for which fee has been paid. \*\*greater of three of number for which fee has been paid.

No additional fee is required.  
 Please charge this fee and any additional fees that may be required in connection with filing of this Revocation of Prior Power of Attorney and New Power of Attorney by Assignee and Certificate by Assignee Under 37 C.F.R. 3.73 to Deposit Account 02-4550.

*William D. Noonan*  
William D. Noonan, M.D.  
Registration No. 30,878

January 8, 2002  
Date

cc: Docketing